

Tuesday, September 30, 1997

Daily Digest

HIGHLIGHTS

Senate passed Continuing Appropriations and Energy and Water Appropriations Conference Report.

House agreed to the Conference Report on H.R. 2203, Energy and Water Development Appropriations for FY 1998.

House agreed to the Conference Report on H.R. 2378, Treasury, Postal Service Appropriations for FY 1998.

House passed H.R. 2267, Commerce, Justice, State, the Judiciary, and Related Agencies Appropriations for FY 1998.

Senate

Chamber Action

Routine Proceedings, pages S10185–S10244

Measures Introduced: Five bills were introduced, as follows: S. 1237–1241. Page S10229

Measures Reported: Reports were made as follows:

Special Report entitled "Further Revised Allocation To Subcommittees of Budget Totals from the Concurrent Resolution for Fiscal Year 1998". (S. Rept. No. 105–91)

S. 750, to consolidate certain mineral interests in the National Grasslands in Billings County, North Dakota, through the exchange of Federal and private mineral interests to enhance land management capabilities and environmental and wildlife protection, with an amendment in the nature of a substitute. (S. Rept. No. 105–92)

S. 1158, to amend the Alaska Native Claims Settlement Act, regarding the Huna Totem Corporation public interest land exchange, with an amendment in the nature of a substitute. (S. Rept. No. 105–93)

H. Con. Res. 8, expressing the sense of Congress with respect to the significance of maintaining the health and stability of coral reef ecosystems, with an amendment in the nature of a substitute. (S. Rept. No. 105–94)

S. Res. 126, authorizing supplemental expenditures by the Committee on Veterans' Affairs.

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Measures Passed:

Continuing Appropriations: By a unanimous vote of 99 yeas (Vote No. 261), Senate passed H.J.

Res. 94, making continuing appropriations for fiscal year 1998, clearing the measure for the President.

Page S10204

Energy Policy and Conservation Extension: Senate passed H.R. 2472, to extend certain programs under the Energy Policy and Conservation Act, after agreeing to the following amendment proposed thereto:

Pages S10243–44

Lott (for Murkowski) Amendment No. 1270, in the nature of a substitute.

Page S10243

Michigan Land Transfer: Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of H.R. 394, to provide for the release of the reversionary interest held by the United States in certain property located in the County of Iosco, Michigan, and the bill was then passed, clearing the measure for the President.

Page S10244

Hood Bay Land Exchange Act: Senate passed H.R. 1948, to provide for the exchange of lands within Admiralty Island National Monument, clearing the measure for the President.

Page S10244

Committee Supplemental Funds: Senate agreed to S. Res. 126, authorizing supplemental expenditures by the Committee on Veterans' Affairs.

Page S10244

District of Columbia Appropriations: Senate resumed consideration of S. 1156, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal

year ending September 30, 1998, taking action on amendments proposed thereto, as follows:

Pages S10185–S10204, S10208, S10211–16, S10222–25

Adopted:

Wyden Amendment No. 1250, to establish that it is the standing order of the Senate that a Senator who objects to a motion or matter shall disclose the objection in the Congressional Record.

Pages S10222–25

By 69 yeas to 27 nays, 1 answering present (Vote No. 263), Byrd Amendment No. 1267, to prohibit alcoholic beverage advertisements on billboards, signs, posters, and other forms of advertising in certain publicly visible locations in the District of Columbia where children are likely to walk to school or play.

Pages S10214–16, S10222

By 69 yeas to 27 nays, 1 answering present (Vote No. 263), Byrd Amendment No. 1268, to increase the number of ABC inspectors in the District of Columbia and focus enforcement on sales to minors.

Pages S10214–16, S10222

By 69 yeas to 27 nays, 1 answering present (Vote No. 263), Byrd Amendment No. 1269, to require the General Accounting Office to study the effects of the low rate of taxation on alcohol in the District of Columbia.

Pages S10214–16, S10222

Pending:

Coats Modified Amendment No. 1249, to provide scholarship assistance for District of Columbia elementary and secondary school students.

Pages S10185–96

Graham/Mack/Kennedy Amendment No. 1252, to provide relief to certain aliens who would otherwise be subject to removal from the United States.

Pages S10185, S10196–S10204

Mack/Graham/Kennedy Modified Amendment No. 1253 (to Amendment No. 1252), in the nature of a substitute.

Pages S10196–S10204

Withdrawn:

Jeffords Amendment No. 1266, to provide for a regional education and workforce training system in the metropolitan Washington area, to improve the school facilities of the District of Columbia, and to fund such activities in part by an income tax on nonresident workers in the District of Columbia.

Pages S10212–14

During consideration of this measure today, Senate also took the following action:

By 58 yeas to 41 nays (Vote No. 260), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate failed to agree to close further debate on Coats Modified Amendment No. 1249, listed above.

Pages S10195–96

U.S. District Courts Arbitration: Senate concurred in the amendments of the House to S. 996, to provide for the authorization of appropriations in

each fiscal year for arbitration in the United States district courts, clearing the measure for the President.

Page S10243

Energy and Water Development Appropriations—Conference Report: By a unanimous vote of 99 yeas (Vote No. 262), Senate agreed to the conference report on H.R. 2203, making appropriations for energy and water development for the fiscal year ending September 30, 1998, clearing the measure for the President.

Pages S10217–22

Department of the Treasury/Postal Service Appropriations Conference Report—Agreement: A unanimous-consent time-agreement was reached providing for the consideration of the conference report on H.R. 2378, making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, on Wednesday, October 1, 1997.

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Messages from the President: Senate received the following messages from the President of the United States:

Transmitting the notice of the continuation of the Iran emergency; referred to the Committee on Banking, Housing, and Urban Affairs. (PM–70).

Page S10227

Nominations Received: Senate received the following nominations:

Kathryn Linda Haycock Proffitt, of Arizona, to be Ambassador to the Republic of Malta.

William H. Twaddell, of Rhode Island, to be Ambassador to the Federal Republic of Nigeria.

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Messages From the President:

Page S10227

Messages From the House:

Pages S10227–28

Measures Referred:

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Communications:

Pages S10228–29

Statements on Introduced Bills:

Pages S10229–33

Additional Cosponsors:

Pages S10233–34

Amendments Submitted:

Pages S10234–38

Notices of Hearings:

Page S10239

Authority for Committees:

Page S10239

Additional Statements:

Pages S10239–43

Record Votes: Four record votes were taken today. (Total—263)

Pages S10195–96, S10204, S10222

Adjournment: Senate convened at 10 a.m., and adjourned at 7:28 p.m., until 10 a.m., on Wednesday, October 1, 1997. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10244.)

Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Banking, Housing, and Urban Affairs: Committee concluded hearings on the nominations of Laura S. Unger, of New York, and Paul R. Carey, of New York, each to be a Member of the Securities and Exchange Commission, Dennis Dollar, of Mississippi, to be a Member of the National Credit Union Administration Board, Edward M. Gramlich, of Virginia, and Roger Walton Ferguson, of Massachusetts, each to be a Member of the Board of Governors of the Federal Reserve System, and Ellen Seidman, of the District of Columbia, to be Director of the Office of Thrift Supervision, Department of the Treasury, after the nominees testified and answered questions in their own behalf. Mr. Dollar was introduced by Senators Lott and Cochran.

NOMINATIONS

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the nominations of Michael K. Powell, of Virginia, Harold W. Furchtgott-Roth, of the District of Columbia, and Gloria Tristani, of New Mexico, each to be a Member of the Federal Communications Commission, after the nominees testified and answered questions in their own behalf. Mr. Furchtgott-Roth was introduced by Senator Thurmond and Representative Bliley, Mr. Powell was introduced by Senators Warner and Robb, and Ms. Tristani was introduced by Senators Domenici and Bingaman.

FAST TRACK TRADE AUTHORITY

Committee on Commerce, Science, and Transportation: Committee concluded hearings on the Administration's proposal to renew fast track trade negotiating authority, after receiving testimony from William M. Daley, Secretary of Commerce; and Charlene Barshefsky, United States Trade Representative.

CLIMATE CHANGE POLICY

Committee on Energy and Natural Resources: Committee concluded oversight hearings to examine the economic impact and analysis of a proposed climate change treaty on labor, electricity supply, and manufacturing, after receiving testimony from Cecil E. Roberts, United Mine Workers of America, and William A. Niskanen, Cato Institute, both of Washington, D.C.; Murray Weidenbaum, Washington University, St. Louis, Missouri; Ronald L. McMahan, Resource Data International, Inc. and Financial Times Energy, Boulder, Colorado; Richard Sandor, Centre Financial Products Limited, Chicago, Illinois;

and Irving Mintzer, Global Business Network, Silver Spring, Maryland.

AUTHORIZATION—ENDANGERED SPECIES

Committee on Environment and Public Works: Committee ordered favorably reported S. 1180, authorizing funds for programs of the Endangered Species Act, with amendments.

CAMPAIGN FINANCING INVESTIGATION

Committee on Governmental Affairs: Committee resumed hearings to examine certain matters with regard to the committee's special investigation on campaign financing, receiving testimony from former Vice President Walter F. Mondale; and former Senator Kassebaum.

Hearings continue on Tuesday, October 7.

NOMINATIONS

Committee on the Judiciary: Committee concluded hearings on the nominations of Raymond C. Fisher, of California, to be Associate Attorney General, Department of Justice, Ronald Lee Gilman, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Sonia Sotomayor, of New York, to be United States Circuit Judge for the Second Circuit, Richard Conway Casey, to be United States District Judge for the Southern District of New York, James S. Gwin, to be United States District Judge for the Northern District of Ohio, Dale A. Kimball, to be United States District Judge for the District of Utah, Algenon L. Marbley, to be United States District Judge for the Southern District of Ohio, and Charles J. Siragusa, to be United States District Judge for the Western District of New York, after the nominees testified and answered questions in their own behalf. Mr. Fisher was introduced by Representatives Campbell and Berman, Mr. Gilman was introduced by Senators Thompson and Frist and Representative Ford, Ms. Sotomayor, and Messrs. Casey and Siragusa were introduced by Senator D'Amato, Messrs. Gwin and Marbley were introduced by Senators DeWine and Glenn, and Mr. Kimball was introduced by Senators Hatch and Bennett.

UNCONSTITUTIONAL SET-ASIDES

Committee on the Judiciary: Subcommittee on the Constitution, Federalism, and Property Rights concluded hearings to examine the use of racial and ethnic preferences in federal procurement programs, focusing on the constitutionality of Department of Transportation proposed regulations to modify the Disadvantaged Business Enterprise program for highway and transit projects, and a related Supreme Court decision in *Adarand v. Peña*, after receiving testimony from Senator McConnell; Representatives Scott and